

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF MARION     )

IN THE MARION CIRCUIT COURT  
  
CAUSE NO. 49C01-0511-PL-0044212

STATE OF INDIANA,                     )  
  )  
                          Plaintiff,       )  
  )  
                          v.                )  
  )  
  )  
KENNETH LAWRENCE, and                )  
GREAT AMERICAN YURTS, LLC,         )  
  )  
  )  
                          Defendants.       )

FILED  
37 2008 03  
Donna L. Carter

**CONSENT JUDGMENT**

The Plaintiff, State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Terry Tolliver, and the Defendants, Kenneth Lawrence and Great American Yurts, LLC, hereby agree to entry of a Consent Judgment without trial or adjudication of any issue of fact or law herein.

The parties believe it is in their best interest to resolve the issues raised by the State of Indiana and avoid further litigation. This Consent Judgment does not constitute an admission by the Defendants of any wrongdoing, nor shall it be construed as an abandonment by the Attorney General of his position the Defendants violated Indiana's Deceptive Consumer Sales Act. The parties consent to entry of a final judgment in this proceeding by the Court and accept this Consent Judgment as final on the issues resolved herein.

## **JURISDICTION AND SCOPE OF JUDGMENT**

1. This Court has jurisdiction and venue over the subject matter of this action and the parties hereto.

2. The State of Indiana's Complaint for Injunction, Restitution, Costs, and Civil Penalties states a cause of action pursuant to the Indiana Deceptive Consumer Sales Act, Indiana Code § 24-5-0.5-1, *et seq.*

3. At all times relevant to the Plaintiff's Complaint, the Defendant, Kenneth Lawrence, was an individual doing business as Great American Yurts, LLC, with a principal place of business in Marion County, located at 12233 Pendleton Pike, Indianapolis, Indiana, and transacted business with Indiana consumers.

4. At all times relevant to the Plaintiff's Complaint, the Defendant, Great American Yurts, LLC, was a domestic limited liability company with a principal place of business in Marion County, located at 12233 Pendleton Pike, Indianapolis, Indiana, and transacted business with Indiana consumers.

## **RELIEF ORDERED**

5. The Defendants are permanently enjoined from engaging in the following acts and making, causing to be made, or permitting to be made the following representations:

- a. representing expressly or by implication the subject of a consumer transaction has sponsorship, approval, characteristics, accessories, uses, or benefits it does not have which the Defendants know or reasonably should know it does not have;

- b. representing expressly or by implication, the Defendants are able to deliver or complete the consumer transaction within a stated period of time, or when no time period is stated, within a reasonable period of time, when the Defendants know or should reasonably know they cannot; and
- c. representing expressly or by implication the consumer will be able to purchase the subject of the consumer transaction as advertised by the Defendants, if the Defendants do not intend to sell it.

6. The Defendants shall consider the contracts they entered into with consumers, Eileen Comeaux, Stephen Malone and Cecelia Ramos, Rebecca Fresco, Mitch and Joyce Torguson, Celena Rye and Gabriel and Cathy Peabbles, and Mollie Lowery, fully satisfied.

7. The Defendants shall cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives. This shall include, but is not limited to, the Defendants promptly resolving valid consumer complaints brought to the Defendant's attention by the Office of the Attorney General, either prior to, or after the filing of, this Consent Judgment with the Court.

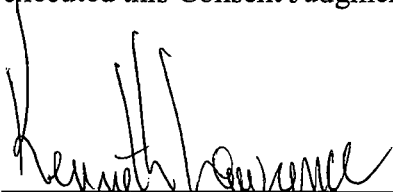
#### **CONTINUING JURISDICTION**

8. For the purpose of enforcing the provisions of this Consent Judgment, any subsequent Court obtaining jurisdiction over the Defendants based upon a complaint alleging a violation of any law that is the subject of this Consent Judgment may take judicial notice of this Judgment. The Defendants waive any objection regarding a

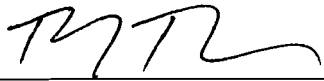
Court's jurisdiction to punish for contempt and agrees to appear upon proper notice of a failure to comply with any of the provisions of this Judgment.

IN WITNESS WHEREOF, the parties have executed this Consent Judgment this 28 day of August, 2006.

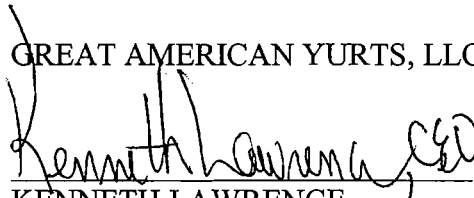
STATE OF INDIANA  
STEVE CARTER  
Indiana Attorney General

  
KENNETH LAWRENCE

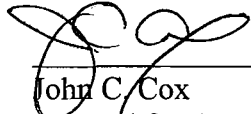
by:

  
Terry Tolliver  
Deputy Attorney General  
Attorney No. 22556-49


By:

GREAT AMERICAN YURTS, LLC  
  
KENNETH LAWRENCE  
CEO and Manager

Approved:

  
John C. Cox  
Counsel for the Defendants

ALL OF WHICH IS APPROVED, ORDERED, ADJUDGED AND DECREED  
this \_\_\_\_ day of **DEC 08 2006**, 2006.

  
Judge, Marion Circuit Court

Distribution:

Terry Tolliver  
Office of the Attorney General  
302 W. Washington St., IGCS 5<sup>th</sup> Floor  
Indianapolis, IN 46204

John C. Cox  
The Nice Law Firm  
1311 West 96<sup>th</sup> Street, Suite 200  
Indianapolis, IN 46260

323323